ANNUAL REPORT 1989/90

Municipal/Industrial Strategy for Abatement (MISA)

Ontario

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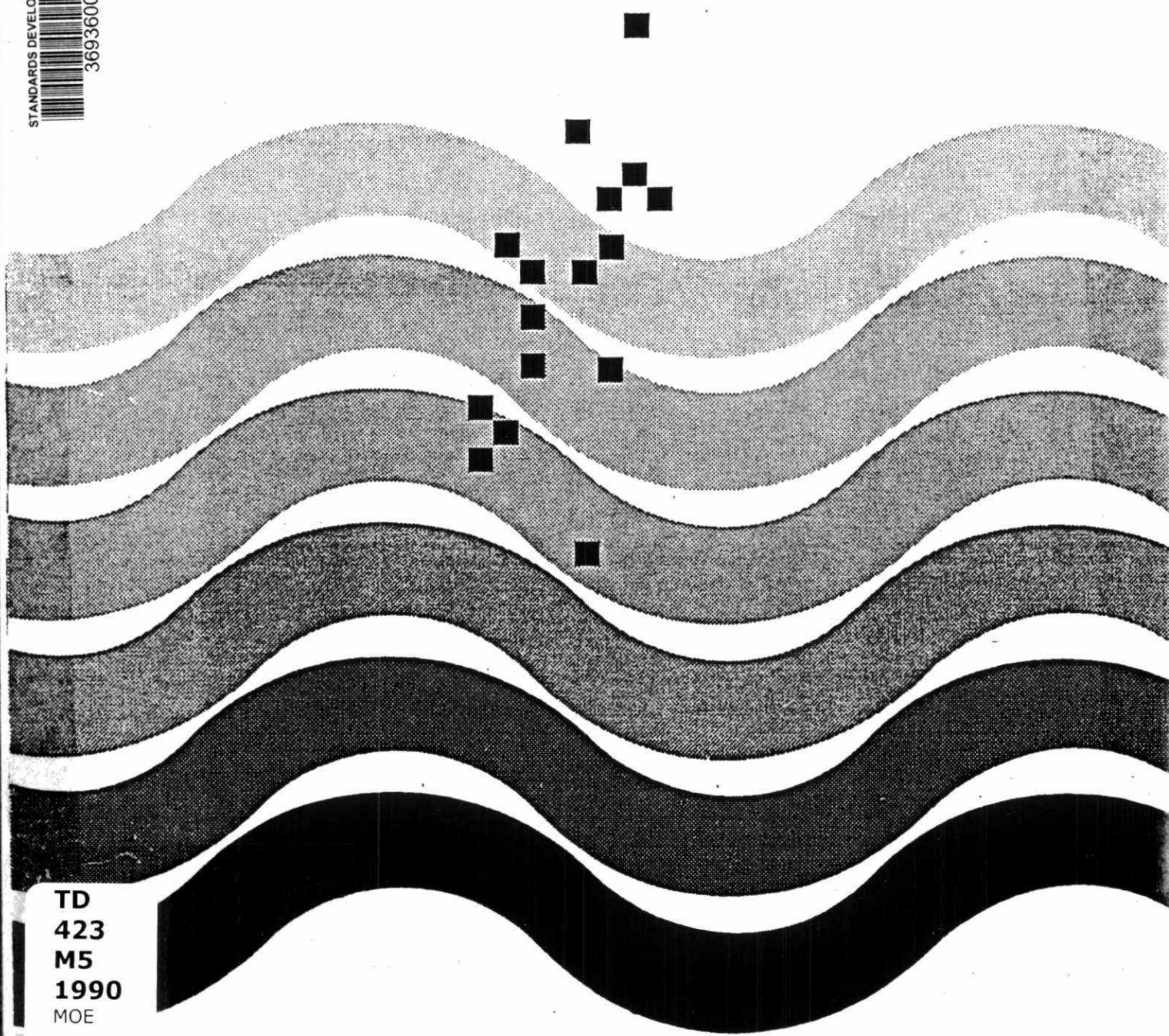
MISA
Advisory Committee



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PRELIMINARY EDITION

MISA ADVISORY COMMITTEE THIRD ANNUAL REPORT

The Preliminary edition is subject to further editorial work and to the addition of a French language summary. Any comments or questions related to this report should be addressed initially to the MISA Advisory Committee, Suite 502, 112 St. Clair Avenue West, Toronto, Ontario M4V 1N3 (Telephone 416-965-1400).

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MINISTRY OF THE ENVIRONMENT
SEP 1 1990
HAZARDOUS CONTAMINANTS
BRANCH

ONTARIO
Ministry of the Environment

Municipal / Industrial Strategy for Abatement (MISA)

MISA ADVISORY COMMITTEE

3rd Annual Report

1989 - 1990

Province of Ontario
Ministry of the Environment

MISA

Municipal/Industrial Strategy for Abatement
Stopping Water Pollution at its Source

3rd Annual Report
MISA ADVISORY COMMITTEE

Covering the period from April 1, 1989 to March 31, 1990.

(Including a summary of operations from the inauguration of the Committee in November 1986, and incorporating advisory reports on draft regulations to May 1990)

Permanent Membership:

Chairman appointed November 1987:
Mr. Jim MacLaren, Member appointed November 1986

Vice-Chairpersons appointed April 1989:
Mr. Kai Millyard, Member appointed November 1986
Dr. Isobel Heathcote, Member appointed December 1987

Members:
Mr. Harvey Clare, appointed November 1986
Dr. Paul Hebert, appointed November 1986
Ms. Joanna Kidd, appointed April 1989
Dr. Don Mackay, appointed November 1986
Mr. Paul Muldoon, appointed April 1989

Former Members appointed November 1986:
Dr. Douglas Hallett, Member and Chairman to October 1987
Dr. Monica Campbell, Member to May 1988
Ms. Toby Vigod, Member and Vice-Chairman to January 1989

Staff Member:

Mr. Doug Vallery, Scientific and Technical Coordinator to August 1989.
Ms. Yasmin Tarmohamed, Scientific and Technical Coordinator, September 1989 to date.

May 1990

MISA ADVISORY COMMITTEE

THIRD ANNUAL REPORT 1989-1990

OUTLOOK

This third full year of **MISA Advisory Committee** operations has seen the virtual completion of PHASE 1 of the MISA Program. Effluent monitoring regulations for all industrial sectors have now been issued, and monitoring on the last regulation will commence by June 1990.

Current programming indicates the completion of PHASE 2 of the industrial portion of the MISA program involving the issue and enforcement of effluent limits regulations by the end of 1992. Municipal regulations are now being implemented on a staged approach so that their completion dates are currently being revised.

During the end of the 1989-1990 period members of the MISA Advisory Committee became directly involved in the deliberations of five Issues Resolution Committees (IRC). These Committees were setup by the Ministry to establish, with industry participation, a resolution to eighteen various generic issues common to the development of all effluent limits regulations. The process, when complete in July of 1990, will permit all industrial sector joint technical committees to proceed with the development of effluent limits regulations using a common set of interpretive rules and/or guidelines to generic issues relating to the MISA program.

The MISA Advisory Committee therefore, looks forward to reviewing the final draft of the positions of the five Issues Resolution Committees involving BAT/BMP, ECONOMIC ACHIEVABILITY, TOXICITY/VIRTUAL ELIMINATION, LIMITS, and PUBLIC INFORMATION and commenting to the Minister on its' findings during July 1990.

The Issues Resolution Process has been a concentrated and stressful period for all participants, but was necessary to force consensus where practicable and to improve the efficiency of operation of the Joint Technical Committees in respect of the development of the Effluent Limits Monitoring Regulation.

Its introduction has caused concern to various public interest groups since the process did not provide for their participation. As a result these groups will be provided an opportunity to comment on the draft positions early in the 1990-1991 fiscal year.

We do however, congratulate the Ministry staff for a dedicated and productive effort in respect of the IRC process.

During the coming year the Committee looks forward to the participation of its' members as individual observers on the various joint technical committees charged with developing specific sector effluent limits regulations. It is hoped that at least the petroleum industry regulation will be available for public review before the year's end (March 1991). In view of the level of activity, the Committee anticipates a return to its original bi-weekly meeting schedule.

The Committee feels that it continues to contribute to the development of the MISA program in a positive fashion and looks forward to continuing its role as a group of independent scientific and policy experts reviewing and advising on proposed regulatory principles and procedures.

ONTARIO MINISTRY OF THE ENVIRONMENT
MISA ADVISORY COMMITTEE

THIRD ANNUAL REPORT 1989-1990

Covering the fiscal year April 1, 1989 to March 31, 1990.

(Including a summary of operations of the Committee from November 1986, and incorporating advisory reports on the MISA Program to March 1990)

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2. Mandate of the MISA Advisory Committee
3. Committee Membership
4. Committee Operations
5. Referrals to the Committee
6. Committee Meetings
7. Budgetary Performance

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APPENDIX B Referrals to the Committee - Summary and Documentation

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MISA **MUNICIPAL-INDUSTRIAL STRATEGY FOR ABATEMENT**
-STOPPING WATER POLLUTION AT ITS SOURCE-

1. INTRODUCTION

The **MISA Advisory Committee (MAC)** was established by the Minister of the Environment in late 1986, primarily to provide independent expert advice on the content of draft regulations being developed under the **MISA** program of the Ontario Ministry of the Environment. While members of the committee are considered independent and represent only their individual expertise and experience, the operation of the committee serves to represent and protect the public interest by providing a third party opinion on the direction of water quality regulation in the Province of Ontario.

2. MANDATE OF THE MISA ADVISORY COMMITTEE

By order in Council 2766/86 (October 23, 1986) pursuant to Clause 3(i) of the Environmental Protection Act (EPA), R.S.O. 1980, c. 141, the **MISA ADVISORY COMMITTEE** was established to provide advice to the Minister of the Environment in accordance with the White Paper **"Municipal-Industrial Strategy for Abatement"** released in June 1986 and more particularly:

(a) to review draft regulations relating to monitoring and effluent limits prepared by the sectoral technical committees;
(b) to liaise and work with the technical committees;
(c) to provide advice and recommendations to the Minister on the content of the regulations;
(d) to provide advice with respect to such other related matters as the Minister may prescribe.

The Committee was created solely to provide advice to the Minister upon request of the Minister; the Minister is not obligated to accept the **Advisory Committee's** advice and recommendations, but will take the Committee's advice into account when finalizing regulations. Subject to the EPA, and any Order-In-Council, the Ministry agrees to respect the independence that the Committee requires in order to carry out its advisory function. In accordance with Ontario government policy concerning the sunset review of advisory agencies, the existence of the committee was reviewed in advance of its expiration date of October 22, 1989 and the term of all members of the Committee and its function renewed until October 22, 1992 by Order in Council no. 2746/89.

3. COMMITTEE MEMBERSHIP

The following members were appointed by Order in Council 2997/86, dated November 13, 1986, to the **MISA Advisory Committee,** pursuant to Clause 3(i) of the Environmental Protection Act, for a term ending on the 22nd day of October, 1989:

Dr. Douglas Hallett of Acton
- as Chairman,
Dr. Monica Campbell of Toronto,
Dr. Paul Hebert of Windsor,
Mr. James MacLaren of Toronto, and
Ms. Toby Vigod of Toronto
- as Vice-Chairperson,
Mr. Harvey Clare of Toronto,
Dr. Don Mackay of Toronto,
Mr. Kai Millyard of Ottawa.

As well, Doug Vallery was appointed on April 1, 1987, as Scientific and Technical Coordinator for the Committee, to provide staff support for the Committee's work. He was transferred to other Ministry duties in September of 1989 and Yasmin Tarmohamed succeeded him in this role.

For business reasons, Dr. Douglas J. Hallett resigned as chairman and member of the Committee effective October 23, 1987. By Order-in-Council 2448/87, dated November 5, 1987, Mr. James MacLaren was appointed chairman of the Committee to replace Dr. Hallett. As well, by Order-in-Council 2629/87, Dr. Isobel Heathcote of the University of Toronto was appointed as a new committee member to fill the vacant position.

Also, Dr. Monica Campbell resigned from membership on the committee as of May 1988, and Ms. Toby Vigod resigned as Vice-Chairperson and member as of January 1989. In order to replace these vacancies, Ms. Joanna Kidd and Mr. Paul Muldoon were appointed as members, and Isobel Heathcote and Kai Millyard were appointed as co-vice chairpersons by Order-in-Council 1002/89, April 1989.

All members of the **MISA Advisory Committee** are compensated according to Level 11 of Ontario Management Board Directives 6-1 (Sept. 1989) and are required to abide by Management Board Guidelines and Directives, including those related to conflict of interest.

A representative from each industrial sector, appointed by the Minister of the Environment through consultation with the sector, is to be a full member of the **MAC** when regulations pertaining to that sector are being reviewed. When matters pertaining to the municipal sectors are being reviewed, a representative of each of the Association of Municipalities of Ontario, and the Municipal Engineers Association, appointed by the Minister through appropriate consultation, will be members of the Committee. During this reporting period, those confirmed industrial representatives who have attended **MAC** meetings or who have been tentatively appointed to serve on the Committee are as follows:

- **Electric Power Generation represented by Ontario Hydro:** Mike Northfield
- **Iron & Steel Sector represented by the Canadian Steel Environmental Assoc. (CSEA):** Al Schuldt
- **Metal Casting Sector represented by the Metal Casting Environmental Committee (MCED):** Ian Hennessy
- **Mining Sector represented by the Ontario Mining Association (OMA):** Maxine Wiber, Brian Bell and Elizabeth Gardiner
- **Municipal Sectors represented by the Assoc. of Municipalities of Ontario (AMO) and the Municipal Engineers Association (MEA):**
  Milt Sather, CAO, City of Guelph (AMO)
  Len Yust, Director of Pollution Control, Regional Halton (MEA)
- **Organic and Inorganic Chem. Man. Sectors represented by the Canadian Chemical Producers' Association:** Bill Neff
- **Petroleum Refinery Sector represented by the Ontario Petroleum Assoc. (OPA):** Ray Shaver
- **Pulp & Paper Sector represented by the Ontario Forest Industries Assoc. (OFIA):** Mickey Devine

As well, **MISA Advisory Committee** members are appointed as 'observers' to the Joint Technical Committees. The observers are responsible for keeping abreast of JTC business, and for acting as liaison between the JTCs and MAC. Due to the fact that generally MAC members have full-time careers elsewhere, their attendance at JTC meetings is optional, and they rely on the timely issuance of minutes and documentation to keep them up-to-date on JTC activity. The following is the current roster of MAC observers to the JTCs:

Petroleum Sector: Harvey Clare
Mining Sector: Harvey Clare
Iron & Steel Sector: Joanna Kidd
Inorg. Chem. Man. Sector: Paul Hebert
Electric Power Generation: Paul Muldoon
Organic Chem. Man. Sector: Don MacKay
Pulp & Paper Sector: Jim MacLaren
Metal Casting Sector: Isobel Heathcote
Municipal Sectors: Kai Millyard
Ind. Minerals Sector: Paul Muldoon

Biographical sketches of all Permanent Members to the **MISA Advisory Committee** appear in Appendix A.

4. COMMITTEE OPERATIONS

The Committee is bound by its Memorandum of Understanding (MOU), signed in May 1988 as a form of agreement between the Minister, the Deputy Minister and the Committee. As well, the Committee has prepared more detailed Operating Procedures, which are modified from time-to-time. The Committee operates from premises provided by the Ministry at 112 St. Clair Avenue West, Suite 502, Toronto, Ontario M4V 1N3 (telephone 416-965-1400).

The Committee's regular meetings are scheduled for the second and fourth Fridays of each month, but it may convene at other times depending on the workload. In terms of workload planning, the Committee is dependent for the most part on the Ministry's adherence to the **MISA** Regulatory Development schedule and to the timely provision of background information and documentation. During this reporting period, the **MISA** program was involved primarily in generic issues resolutions relating to the **MISA** Effluent Limits Regulations. Since this required direct participation of individual committee members, the need for regular meetings of **MAC** were naturally reduced, there being only eleven meetings during the reporting period.

5. REFERRALS TO THE COMMITTEE

Referrals to the **MISA Advisory Committee** and Committee responses form the primary contribution to the **MISA** program. The referrals are in the form of direct requests for advice and comment on specific **MISA** components or as Committee response to direct participation in the **MISA** process.

During the course of the year, the Committee's major concern was to participate in the development of the Issues Resolution Process as directed by the Minister.

The process involved the development of responses to eighteen generic issues relating to the development of effluent limits regulations. By determining a formal position on these issues which are considered common to all sector related effluent limits, the work of the Joint Technical Committees could be simplified so as to avoid conflict in the various effluent limit regulations.

The Committee also took the opportunity to provide general comment to the Minister on items relating to Provincial Water Quality objectives and on **MISA** related matters.

6. COMMITTEE MEETINGS

The **MISA Advisory Committee** has held fifty-seven meetings since its inception. Minutes are available to **MISA** participants and to the public on request. Minutes are routinely distributed to MOE Senior Management, MISA Managers and Sector representatives to **MAC**. Minutes for the period are bound in sixteen volumes, and generally include background documents which are pertinent to Committee discussions. As well, an indexed compendium of all MAC Minutes from meetings 1 to 57 has been prepared.

In addition to a specific meeting Agenda, the **MISA Advisory Committee** publishes a quarterly "Outstanding Issues List" which acts as an agenda of continuing items and which briefly describes the nature and status of issues which have been brought to **MAC's** attention and on which **MAC** intents to act. As of mid-1990, major continuing items or issues which have appeared on the "Outstanding Issues List" are:

1. The **MISA Municipal Program** remains a major priority of the Advisory Committee. The Advisory Committee is most interested in participating in a strong consultative process leading to an effective sewer use control program and the optimized operation of sewage treatment plants.

2. The **MISA Analytical Program** remains a primary interest of the MISA Advisory Committee. The Committee has been provided with a document entitled "Laboratory Performance Management in Support of MISA" (May 1989) and the results of a 1988 laboratory round-robin testing program. The Committee continues to watch the results of the round-robin program schedule closely. The Committee is concerned over the application of the results of performance management programs to the interpretation of the MISA monitoring information.

3. The **Effluent Monitoring Priority Pollutants List (EMPPL)** is a major cornerstone of the **MISA** program. The **MISA Advisory Committee** reviewed the EMPPL and its updates, and has endorsed the content and the professional manner in which it has been developed and modified.

4. The **Advisory Committee** awaits further details on the concept and development of the **MISA Water Quality Track**. The Committee believes that this is a very significant aspect of the **MISA** program.

5. The **St. Clair Loadings Matrix Project** as a technical project was completed and issued in draft form on November 10, 1989 following comment from several interested parties including the Canadian Chemical Producers Association and the Ontario Petroleum Association. The project involved the development of a spreadsheet format as the basis for estimating and aggregating net loadings of **EMPPL** and **non-EMPPL** compounds by discharger and discharge point to the St. Clair River. The project provided a simple prototype for the assessment of loadings and a geographical perspective of the relative significance of net loadings by contaminant parameter to this important waterway.

6. The **Inter-Regulation Comparison Study** was undertaken for the Committee by Gary Loftus during the reporting period and delivered to the Minister in December 1989, after Committee review and editing. The study was undertaken to compare the nine industrial monitoring regulations to identify inconsistencies between them and thus serve as a basis for improving consistency between effluent limits regulations.

   By condensing and summarizing the monitoring regulations, it was possible to reveal that the most serious concern related to the use of words and terms which were open to several interpretations requiring clarification in future regulations.

   Also the unique codes within parameter schedules could prove problematic in handling multiple data sets within **MISA** data analysis requirements and therefore require consultation with software designers to determine their suitability within **MISA's** overall objectives for data analyses.

7. The **Sewage Treatment Mass Balance Assessment Project** was also completed in this reporting period although not delivered to the Minister and **MISA** distribution list until May 1990. The study was undertaken by Yasmin Tarmohamed with direction and review by the Committee members. The general aim was to determine from the **"Thirty Seven Plant Municipal Water Pollution Control Plants Pilot Monitoring Study, Volumes I and II"** undertaken for the Ministry in 1987-1988, the metal loadings to these plants through the raw sewage influents, the portion removed in treatment, the portion retained in the removal sludge, and the residual remaining in the effluent, thus establishing removal efficiency of the plant, the loads discharged to the recovery waters and the loadings for disposal as sludge.

Findings indicated that despite significant removals, loadings to the receiving waters were still substantial, dictating the need for controlling industrial discharges to municipal sewerage systems to reduce toxic chemical impacts.

8. **The Municipal Water Conservation Project** was commenced during the year with a view to its completion during the 1990-1991 fiscal reporting period. The purpose is to reveal the need and benefits to Ontario water resources of the control of pollution emanating from urban communities as well as the protection of their drinking waters and the preserving of the physical integrity of their water and sewage works. The costs of the needed conservation programs and their impacts on current user fees will be an important finding of this study.

9. Follow-up items as a result of discussion on **MISA Regulations and Issues include:**

   - status for the Listing/Delisting Process for schedules included in regulations;
   - status of Analytical Methodology Development for selected **EMPPL** compounds;
   - status of research and development on Toxicity Testing Programs, especially on chronic toxicity, additional acute tests and flow-through testing;
   - eventual determination of the practical interpretation of "Virtual Elimination" as employed in the **Great Lakes Water Quality Agreement**

7. BUDGETARY PERFORMANCE

The **MISA Advisory Committee** has operated within its budget during fiscal years 1987-1988, 1988-89 and 1989-1990. The budget for fiscal 1990-1991 has been somewhat reduced from previous years. However, the Committee still hopes to operate within these new constraints. Detailed budgetary information is available at the **MISA Advisory Committee** Office.

APPENDICES:

A. Committee Permanent Membership - Biographical Notes
B. Referrals to the Committee - Summary and Documentation

APPENDIX A
M I S A ADVISORY COMMITTEE
PERMANENT MEMBERSHIP

Chairman - Jim MacLAREN

Mr. MacLaren, formerly, President of the consulting firm James F. MacLaren Limited, now consults privately, specializing in environmental engineering and policy management advisory services. Mr. MacLaren is a Fellow of the Engineering Institute of Canada and the Canadian Society for Civil Engineers, a past president of the Association of Consulting Engineers of Canada, and recently one of the three Commissioners in the "Inquiry for the Canadian Government on Federal Water Policy".

Vice-Chairperson - Dr. Isobel HEATHCOTE

Dr. Heathcote is currently Director of the Environmental Studies Program at Innis College and Dean of Women and Director of Residences at University College of the University of Toronto. She has been responsible for coordinating a large interdisciplinary staff in the identification of environmental impacts of water pollution in the Great Lakes and has considerable experience in water quality issues in general, private sector abatement efforts and the public regulatory framework. She is most familiar with the pulp and paper and mining industries and the effects of their effluents, as well as contaminant modelling.

Vice-Chairperson - Kai MILLYARD

Mr. Millyard is the National Policy Director for Friends of the Earth and a private consultant. Over the last 6 years as a researcher and advocate for Pollution Probe, he has directed educational programs and influenced public policy on environmental issues ranging from waste management and energy conservation to water pollution control. Through membership in municipal, provincial, national and international boards and government committees, he is familiar with a wide variety of pollution control and regulatory programs.

Member - Harvey CLARE

Mr. Clare is a retired executive with Imperial Oil Limited. From 1969 to 1982, he was the Environmental Protection Coordinator for Imperial Oil; prior to that he held, among other positions, Manager for Planning and Investment Logistics, and Manager for the Refining Coordination Division. Mr. Clare is a past president and founder of the Petroleum Association for Conservation of the Canadian Environmental (PACE). He is also a former treasurer of the Conservation Council of Ontario.

Member - Joanna KIDD

Ms. Kidd is an environmental consultant specializing in public involvement techniques, communications and environmental policy research. She is currently co-chairing the Toronto Waterfront Remedial Action Plan Committee, and is involved in the coordination of public involvement and planning processes for several waste management projects in Ontario. Ms. Kidd is a former staff researcher for the Pollution Probe Foundation, and from 1976 to 1981, was a research coordinator in the field of cancer epidemiology at the Faculty of Medicine, University of Toronto.

Member - Paul HEBERT

Dr. Hebert is a Professor of Biology and Acting Director of the Great Lakes Institute, University of Windsor. He specializes in population biology of aquatic organisms, particularly in response to toxic contamination. His latest research efforts have concentrated on contamination of the Huron-Erie Corridor and other Great Lakes locations and encompass a range of technical and policy aspects.

Member - Donald MACKAY

Dr. MacKay is a Professor at the University of Toronto, cross-appointed to the departments of Chemical Engineering and the Institute for Environmental Studies. His research encompasses a range of environment areas, namely the impact of oil spills, the dynamics of organic contaminants - particularly in the Great Lakes ecosystem, and partitioning and solubility studies. His modelling of environmental systems is of particular note with respect to aquatic-based pollution control methods.

Member - Paul MULDOON

Mr. Muldoon is a Hamilton lawyer specializing in environmental and international law. He has lectured on environmental law at McGill University and has written extensively on issues such as an environmental bill of rights, toxic water pollution in Canada and ecosystem management through law reform. Mr. Muldoon is co-author of "Zero Discharge: A Strategy for the Regulation of Toxic Substances in the Great Lakes Ecosystem".

APPENDIX B

REFERRALS TO THE COMMITTEE
Summary and Documentation

Referrals to the **MISA Advisory Committee** and Committee responses are summarized and appear under the following headings:

B.1 PROVINCIAL WATER QUALITY OBJECTIVES AND GUIDELINES

- Comments on numerical values on benzene to Mr. N. Bazinet in a letter dated September 8, 1989.
- Letter to the Minister, dated November 14, 1989, in relation to the Committee's comments to Mr. Bazinet.
- Response of the Minister, dated April 26, 1990, to **MAC** on its comments on benzene.

B.2 GREAT LAKES WATER QUALITY

- Comments of the Committee to the Minister, November 14, 1989, on the report of the Great Lakes Water Quality Board (1989).

B.3 ISSUES RESOLUTION PROCESS

- Comments of **MAC** to the Minister on the Issues Resolution Process dated November 2, 1989.
- Minister's responses dated December 1, 1989 to **MAC**.
- MAC letter to the Minister of December 21, 1989 - requested a meeting on January 17, 1990.
- **MAC** advice to the Minister on the Issues Resolutions Process, dated January 26, 1989.
- **MAC** advice to the Minister of March 16, 1990 on the Issues Resolutions Process.
- **MAC** advice to the Minister of April 23, 1990 on the timing of the Issues Resolution Process.

APPENDIX B.1

MISA ADVISORY COMMITTEE

CORRESPONDENCE regarding the

PROVINCIAL WATER QUALITY OBJECTIVES AND GUIDELINES

- Comments on numerical values on benzene to Mr. N. Bazinet in a letter dated September 8, 1989.
- Letter to the Minister, dated November 14, 1989, in relation to the Committee's comments to Mr. Bazinet.
- Response of the Minister, dated April 26, 1990, to **MAC** on its comments on benzene.

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Ministry of the Environment
Ministère de l'Environnement

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Suite 100
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Bureau 100
Toronto (Ontario)
M4V 1P5

September 8, 1989

Mr. N. Bazinet
Aquatic Biology Section
Ministry of the Environment
4th Floor, 1 St. Clair Ave. West
Toronto, Ontario M4V 1K8

Re: Provincial Water Quality Objectives (PWQO) and Guidelines

Dear Mr. Bazinet:

MAC has received for comment the Draft of the PWQO Development Process report of May 12, 1989 and three draft reports on benzene, lead and copper. We have not had time to examine the documents in detail but we have some concerns and questions, especially relating to the benzene document which we examined most closely. Some of these comments are generic and some specific to benzene.

(1) A generic consideration is who will peer review these reports? Will they be paid to do it, i.e. will the review be thorough? How will the review comments be treated?

(2) We are not clear about the differences between objectives, guidelines and criteria. We would appreciate clarification of this issue.

(3) We accept the idea that PWQO are "only practical first approximations of safe environmental levels" (May 12 Draft, p.1). The process is to gather information, estimate a lowest effective concentration (usually based on toxicity or bioconcentration) then apply a safety factor. Taking benzene as an example, the lowest effect concentration is 1.6 mg/L which is divided by 74 to give 22 ug/L as a guideline. We note the following:

Comba & Kaiser (Water Pollution Research Journal Canada 22(3) 1987, p.468) measured benzene concentrations in the St. Clair River ranging from 100 to 4300 ng/L or 0.1 to 4.3 ug/L in 30 samples. All are thus well below the guideline, yet the St. Clair River is an area of concern because of the local petrochemical industry.

MISA monitoring regulations are requiring benzene to be measured in effluents with a MDL of 0.5 ug/L the expectation being that receiving waters will be much lower.

A water concentration of 22 ug/L when equilibrated with air will give an air concentration of 4.0 ug/L because the air-water partition coefficient K_{AW} is 0.22 i.e. H/RT. This is a fairly high air concentration which would

approach those of occupational concern. The TLV is 30 ug/L or 30 mg/m^3. Air which has been in intimate contact with this water would be at 13% of the TLV. This is a fairly high percentage for general public exposure.

Benzene is regarded as a particularly troublesome chemical because of its genotoxicity but this does not seem to be factored in.

(4) Surely for many chemicals such as benzene, there should be such a multimedia assessment? Have the Hazardous Contaminants Coordination Branch not a responsibility in this area? Are they and Air Resources involved?

(5) The factor of 74 in the case of benzene is of concern. We have 288 EMPPL chemicals. If 74 of these are allowed to reach 1/74th of their "toxic" concentration, we will have toxic water in Ontario which meets 74 individual guidelines, but is additively toxic. Should we not be considering larger safety factors to compensate for mixtures?

Dr. D. Mackay, of our committee, has given considerable thought to this issue and would be pleased to discuss this matter with you on behalf of our committee.

In our subjective judgement the prospect of allowing benzene concentrations of 22 ug/L in the Province's waters would represent an unacceptable deterioration. A figure of 0.1 ug/L would be more appropriate but neither could be considered as "virtual elimination" under the terms of the GLWQ Agreement. Similar considerations apply to other chemicals. We are concerned that setting high objective and guideline concentrations will subvert the MISA and BATEA approach by making high effluent concentrations "tolerable". We believe that before these objectives and guidelines are published there should be a careful assessment of the MISA implications. We look forward to your response.

Yours very truly,

J. MacLaren
Chairman
MISA Advisory Committee

JM/yt

cc: D. Balsillie
J. Bishop
N. Borodczak

Ontario

Ministry of the Environment
Ministère de l'Environnement

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November 14, 1989

The Honourable Jim E. Bradley
Minister of the Environment
15th Floor
135 St. Clair Avenue West
Toronto, Ontario
M4V 1P5

Dear Mr. Minister:

Recently you **MISA Advisory Committee** encountered by chance a draft scientific criteria document for the development of Provincial Water Quality Objectives and Guidelines relating to benzene. A review of that document revealed concerns on the numerical values suggested as acceptable in receiving water for this toxic pollutant. We accordingly commented on these concerns to Mr. N. Bazinet in a letter dated September 8, 1989.

We have since realized that this Committee is not authorized to review the draft Development Documents for Provincial Water Quality Objectives and Guidelines.

We do, however, consider that the Provincial Water Quality Objective Program is closely linked to MISA's effluent limits regulations and we respectfully request that you consider referring these draft documents to your committee for our comment before public release.

We await your advice.

Yours very truly,

J. W. MacLaren

J. MacLaren
Chairman
MISA Advisory Committee

JM/yt

cc: D. Balsillie
J. Bishop
E. Turner

Ontario

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Office of the
Minister

Ministry
of the
Environment

135 St. Clair Avenue West
Toronto, Ontario
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416/323-4359

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April 26, 1990

Mr. J. MacLaren
Chairman
MISA Advisory Committee
112 St. Clair Avenue West
Suite 502
Toronto, Ontario
M4V 1N3

Dear Mr. MacLaren:

Thank you for your letter dated November 14, 1989, regarding the review of draft Development Documents for Provincial Water Quality Objectives and Guidelines. The comments concerning the benzene document are appreciated and will be carefully considered in finalizing the draft Objective.

The Ministry is in the process of establishing an Advisory Committee on Environmental Standards (ACES) which will be in place early in 1990. Its principal function is to ensure that a comprehensive evaluation of proposed standards will be carried out. I am confident that this process will ensure the thorough review of proposed standards, including public input.

In your letter, you also referred to the role of MAC in the review of draft PWQO/G documents. I understand that at the January 17 MAC meeting, after discussing this issue with staff of the Water Resources Branch, your Committee concluded that such a review by MAC would conflict with the role of ACES, and thus should be handled by ACES. As agreed at the meeting, MAC will be provided with future documents on PWQO/G being set, as they become available. Your comments on the PWQO/G documents are always welcome as part of the ACES review.

Thank you for your continuing interest in this important activity.

Yours sincerely,

Jim Bradley

Jim Bradley
Minister

APPENDIX B.2

MISA ADVISORY COMMITTEE

CORRESPONDENCE regarding the

GREAT LAKES WATER QUALITY

- Comments of the Committee to the Minister, November 14, 1989, on the report of the Great Lakes Water Quality Board (1989).

Ontario

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Ministère de l'Environnement

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November 14, 1989

The Honourable Jim E. Bradley
Minister of the Environment
135 St. Clair Avenue West
15th Floor
Toronto, Ontario
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Dear Mr. Minister:

The **MISA Advisory Committee** read with interest the recently released report of the Great Lakes Water Quality Board on Water Quality (October 1989). Although like many we are concerned over the bias of the Board's membership, we do respect its findings.

In the attached summary therefore we have taken the opportunity of highlighting those recommendations and observations made to the **International Joint Commission** by the Board that reflect directly on the MISA program here in Ontario.

The first emphasizes the Committee's continuing concern expressed to you last in our letter of February 3rd, 1989, (items A, B & C, page 3) of the need for existing plants to meet at least the requirements of their current certificates of approval as well as be upgraded to meet new standards.

The second expresses concern at the fact that there is no benchmark established between jurisdictions to compare efficiencies in the control of effluent discharges. We are concerned as set as in item 3, page 2 of our letter of February 3rd as applied to municipal sewerage systems that regulations applying to all types of discharges be equitable and interpretable. Also in our letter of October 20th, 1988, we expressed concern that reporting methods be comparable.

The third and fourth recommendations relate to the need to standardize data reporting and laboratory procedures so that the accuracy and comparability of data are adequate to calculate loadings and assess compliance. Quality assurance and control protocols and procedures are inadequate at this time for these purposes. Continued discussions between the MISA Advisory Committee and the Laboratory Services Branch (the latest as revealed in our letter of February 10, 1989) have failed to reach agreement as to the need for adequate round-robin testing to assure comparability and accuracy between public and private laboratories in relation to the MISA Monitoring Data. The recent report undertaken by PACE (June 12, 1989) on "Interlaboratory Analytical Variability of Conventional Parameters and Metals" confirms that major differences are occurring even in the analysis for oil and grease, ammonia and phenols and suggests that for more diffuse toxic parameters the results be treated with extreme caution.

The fifth and final observation to which we wish to draw reference is the Board's recommendation about Combined Sewer Overflows. Already, Region V of the U.S. Environmental Protection Agency has issued regulations relating to the definition, monitoring and control of pollution from Combined Sewer Overflows (CSO). The Board notes the need for all jurisdictions to quantify this issue and move toward its control. The National Pollution Discharge Elimination System (NPDES) permits for municipally operated treatment works in the U.S.A. have now been revised to reflect the need for CSO control being part of the municipal effluent limits program. To date in Ontario we are considering CSO's under the various Remedial Action Programs but they have not been brought within the scope of the MISA. Toxic loadings from these sources suggest that they should.

We would appreciate the opportunity of reviewing these issues with the Ministry.

Yours very truly,

J. MacLaren
Chairman
MISA Advisory Committee

JM/yt

Encl.

cc: D. Balsillie
J. Bishop
P. Seto
G. Ronan

SUMMARY OF IJC 1989 REPORT ON GREAT LAKES WATER QUALITY
Recommendations and Observations of Importance to MAC

1. Compliance with Jurisdictional Requirements

(i) Compliance of Municipal Discharges (municipal plants) in Ontario:

Out of 103 plants (design flows of greater than 4,500 m3/day), 61 were out of compliance with one or more MOE requirements in 1986. In 1987, 50 out of 103 were out of compliance. The number of plants in compliance increased over previous years and this illustrates the importance of monthly compliance limits rather than annual average limits.

A major concern of the IJC was that the compliance data did not include concentrations or loadings, as well as conditions or limits, on discharge of toxic and persistent toxic substances from municipal sources. The MISA program is to address this issue over the next few years.

(ii) Compliance of Industrial Sources in Ontario:

Ontario Ministry of the Environment (MOE) has re-defined compliance in terms of the number of times in a calendar year the discharger exceeds any effluent limit. In 1986, 95 out of 134 dischargers were out of compliance for one or more limits. In 1987, 76 out of 132 did not meet effluent discharge limits. Note that non-compliance does not indicate deterioration in industrial performance but rather reflects the more stringent monthly compliance limits

2. Basis for Measurement of Compliance

What does **"compliance"** mean? The Great Lakes Water Quality Agreement (GLWQA) defines compliance levels only for phosphorus; compliance limits for contaminants varies between jurisdictions in the Great Lakes basin. Therefore, there is **no common basis** to evaluate the efficiency of industrial and municipal control of discharges.

A recommendation put forth by the IJC is to develop and adopt a uniform set of "benchmarks" with emphasis on persistent toxics, for application to municipal and industrial discharges. Once the benchmarks are determined then these can be tested against the effluent quality from

point sources and could be used to attain stricter point source controls.

For example, to illustrate the importance of benchmarks, Ontario monitors adsorbable organic halides (AOX) in pulp and paper effluents as an indication of source control whereas the U.S. EPA and states will be monitoring dioxins for this sector. The divergence in approach will make it difficult to compare the effectiveness of control programs between the two countries.

3. Data Quality

(i) Interlaboratory Comparisons:

In 1984 and 1989, interlaboratory comparisons were conducted to determine the laboratory industry's ability to perform analysis accurately. Both studies showed that over 40% of the labs tested had some difficulty in performing the analysis accurately.

In 1989, a third study showed that 28 out of 71 (39%) of the labs had difficulty performing accurate analysis. Accurate analysis of samples is imperative especially in determining the loading estimates and assessment of compliance of contaminants especially for phosphorus.

Poor lab performance for accurate detection of conventional pollutants only deters the effectiveness of MISA program in eliminating discharges of toxic and toxic persistent substances into waterways. Inaccuracy between labs will most likely give industry a strong case not to implement control measures.

The IJC has recommended that the jurisdictions review and upgrade the performance of laboratories which conduct analysis of phosphorus and assess data accuracy and comparability.

(ii) Data Quality Coordination:

The surveillance field and laboratory quality assurance protocols were found to have substantial differences in quality assurances between laboratories, projects and agencies. Specific differences included the following:

1. sensitivity, accuracy and precision for certain parameters;
2. definition and expression of the above data quality measures;

3. documentation of methodology used and quality control;
4. differences in data reporting.

These variations add not only to problems with interlaboratory comparability but also make it difficult to assess surveillance data from different sources. The end result being the overall effectiveness of control measures employed can not be evaluated in terms of Great Lakes Surveillance Program.

4. Combined Sewer Overflows (CSOs)

The CSO issue has not been addressed under the MISA program to date. In Ontario, municipalities undertake studies and develop water pollution control plans which address quantification of CSOs and recommends remedial measures and implementation of the program, but does not view CSOs as a point source. However, in the U.S., CSOs are considered as point sources and are required to meet National Pollutant Discharge Eliminiation System (NPDES) permit system requirements. Thus, the U.S. approach attempts to attain control of these sources by implementation of compliance schedules.

The IJC has recommended that the different jurisdictions report information on storm sewer and combined sewer overflows and treatment bypasses, and to quantify loadings, so that control at source can be accomplished.

APPENDIX B.3

MISA ADVISORY COMMITTEE

CORRESPONDENCE regarding the

ISSUES RESOLUTION PROCESS

- Comments of **MAC** to the Minister on the Issues Resolution Process dated November 2, 1989.
- Minister's responses dated December 1, 1989 to **MAC**.
- MAC letter to the Minister of December 21, 1989 - requested a meeting on January 17, 1990.
- **MAC** advice to the Minister on the Issues Resolutions Process, dated January 26, 1989.
- **MAC** advice to the Minister of March 16, 1990 on the Issues Resolutions Process.
- **MAC** advice to the Minister of April 23, 1990 on the timing of the Issues Resolution Process.

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November 2, 1989

Dr. David Balsillie
Assistant Deputy Minister
Environmental Services Division
Ontario Ministry of the Environment
14th Floor, 135 St. Clair Avenue West
Toronto, Ontario
M4V 1P5

Dear Dr. Balsillie:

At the October 27th meeting of the **MISA Advisory Committee**, Dr. Peter Seto, Acting Assistant Manager of MISA presented to the Committee a revised outline of the Issues Development Program relating to the establishment of the fundamental approaches to be employed by the Joint Technical Committees in the development of the Effluent Regulations for the various industrial and municipal sectors.

Dr. Seto pointed out that the eighteen issue working groups would now be combined into a reduced number of internal working groups that would produce through two main trains the various alternatives that would be decided by five external issues groups.

These groups would be directed essentially to defining the approach to

1. Best Available Technology
2. Limits
3. Economic Achievable
4. Toxicity
5. Public Participation

It was pointed out that the intention was to develop solutions to the issue in two stages - one relating to primary issues by March 31st and one to secondary issues by July 15th next with the premise that this revised issue schedule would not compromise the current target dates for the effluent regulation development. It was further suggested that this revised arrangement would require approximately seven meetings of the external issues groups to discuss the development work of their respective internal teams. The latter would be comprised of Ministry and Environment Canada personnel while the former would include industry and MAC representatives as well.

The **MISA Advisory Committee** found the presentation reasonable and accepted the approach as outlined except for the following

1. Time is of the essence and therefore it is impractical to attempt seven meetings of each external issues committee. No delays in the planned release of effluent regulations can be tolerated.
2. Accordingly there should be an introductory meeting of each external committee in mid-December to discuss pre-released positions of all three participant types - government, industry and MAC from which MOE will finalize the internal approach.

3. A mid-point progress meeting of each external committee should be held to discuss results of efforts to date based on a Ministry pre-release. MOE will make consensus revisions as a result of these meetings.
4. A final meeting or meetings should be held to discuss primary and secondary issues as established by the internal committees with the MOE accepting to revise these positions as it sees necessary based on the meeting results.
5. MOE must control progress so as to continue to meet schedules.
6. The final issues positions provided to the Joint Technical Committees should also be released to the public. It is unfortunate that time does not permit for public comment in the normal manner but at least the public should be made aware of the intended approaches to effluent regulation design. Should a major objection arise on that basis, it would be possible to consider change.

Finally based on the revised number of external committees, **MAC** would suggest that two of its members be listed for inclusion in each committee rather than one. The difficulty of ensuring MAC attendance with so few meetings now planned could be largely overcome by authorizing the attendance of two members per Committee.

On that assumption, we request your approval of representation as follows

1. BAT - MacLaren, Millyard
2. LIMITS - Muldoon, Heathcote
3. ECONOMICS - Clare, MacLaren
4. TOXICITY - Hebert, Muldoon
5. PUBLIC PARTICIPATION - Kidd, Heathcote

Unfortunately, Dr. Mackay will not be available at the start of meetings nor Dr. Hebert at the end so that we would ask your consideration of some flexibility in MAC member substitution.

We thank you for the opportunity of discussing this approach with Dr. Seto and trust that our comments are of assistance.

Yours very truly,

J. MacLaren
Chairman
MISA Advisory Committee

JM/yt

cc: J. Bradley, Minister
J. Bishop
P. Seto

Ontario
Ministry of the Environment
Ministère de l'Environnement

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December 1, 1989

Mr. J. MacLaren
Chairman
MISA Advisory Committee
Suite 504
112 St. Clair Avenue West
Toronto, Ontario
M4V 1N3

Dear Mr. MacLaren:

Thank you for your letter dated November 2, 1989 regarding Dr. Peter Seto's presentation on a revised outline of the Issue Resolution Process. The MISA Advisory Committee's acceptance of the approach outlined (subject to the Committee's recommendations) is appreciated.

Staff are currently reviewing the Committee's six recommendations to determine their suitability. By the time you receive this letter, Jim Bishop will have convened a multi-sectoral meeting to discuss the process by which we plan to resolve the issues. In any event, I concur that the Ministry must control the progress of the issues development and that the number of meetings are kept to the minimum necessary so that no delay occurs with the schedule.

I agree with the recommended MAC's representation on the five joint government industry/municipality working groups, and the need for some flexibility in MAC member substitution.

Enclosed is a copy, for your information, of the Ministry working document describing the Issue Resolution process. This document forms the basis for the discussion we will have with the various sectors.

Thank you for your comments, and I know that MAC representatives will provide valuable input into the resolution of these fundamental issues.

Yours very truly,

D. Balsillie
Assistant Deputy Minister
Environmental Services
Division

Enclosure

cc: The Honourable J. Bradley, Minister
J. Bishop
P. Seto

REVISED MISA ISSUES RESOLUTION PROCESS

November 1, 1989

1. BACKGROUND

The MISA issues working groups were initiated in the summer of 1989 to develop position papers for all major generic issues leading to Effluent Limits regulations. By doing this, a consistent base was established for development of individual sector regulations.

There were 18 working groups formed to address these issues. Each working group was comprised of representatives from the Ministry, the Federal Government, Industry, Municipalities, and MAC.

Each group was chaired by a MISA Industrial Section staff member, and the main responsibilities for these chairpersons were to:

1. Ensure terms of reference were drawn up for the working group.

2. Provide direction and technical assistance to working group members in developing and drafting an issue position paper.

In order to maintain overall coordination of all the working group efforts, and to provide a forum for inter-issue debate as well as for information exchange, an internal "Issue Co-ordinating Committee" was also set up with Working Group Chairpersons as members. Paul Isles and Ed Turner co-chaired this committee.

2. PROBLEM AREAS

Several months have elapsed since the inception of these issue working groups. However, the groups have not proceeded expeditiously so far. As a result, the current issue resolution process has been re-examined; and the following problems are observed:

2.1. The working groups are under very tight timeframes for completing the issue position papers. The current completion dates are supposed to be the end of December 1989, which are unrealistic.

2.2. With so many working groups it is difficult to establish terms of reference for each working group that are not in conflict, at least in part, with the other working groups.

2.3. When sitting with Industrial and Municipal representatives in these working groups, strong Ministry representation is mandatory within each group. There are simply not enough staff

available from the Industrial Section to sit in the working groups.

2.4 All the Working Group Chairpersons are drawn from the MISA Industrial Section. This has put a severe resources strain on that Section, particularly when all the Sector Specialists have to deal with the Effluent Monitoring Regulations implementation at the same time.

2.5 With the large number of Working Groups it is difficult for the Co-ordinating Committee Chairpersons (who are also full-time section managers) to provide technical direction, and to maintain active control of all groups as the groups develop issue position papers with Industrial and Municipal representatives.

3. SOLUTION

In order to resolve the problem areas described above, three major modifications to the issue resolution process have been recommended:

- the current 18 Working Groups be consolidated into five Issue Resolution Committees (i.e., some Issues Resolution Committees will be examining more than one issue).

- each Issue Resolution Committee will prioritize the issues (that the Committee has to deal with) into primary and secondary issues. Primary issues will be resolved first.

- an internal infrastructure of government expert staff will be assembled to support the Issue Resolution Committees.

The above recommendations have since been accepted by the MOE senior management and become effective on November 1, 1989.

Details of the changes are presented below.

A. Issue Resolution Committees

In terms of negotiating with Industry and Municipal representatives, it is suggested that, rather than initiating 18 full (that is including officials external to the government) Issues Working Groups, similar issues be addressed by a single Issue Resolution Committee. The grouping of issues has reduced the number of Resolution Committees into five.

Under the consolidated Issue Resolution Committee structure described below, each issue within the Issue Resolution Committee will have a designated "writer" to ensure that the terms of reference are prepared, negotiated positions are well documented with full justifications, and the technical content/rationale of the issue position paper is strong. The "writer" can either be a government or industry/municipality representative who sits in the Issue Resolution Committee as member. On the other hand, the chairpersons of the Issue Resolution Committees have already been designated, and drawn from the MISA Office, the Water Quality Office, Policy and Planning Branch, and Communications Branch.

Issue Resolution Committee 1:	Review of BAT Review of BMP Storm Water By-passes and Emergency Overflows Periodic Review of Limits Reg.
(Chaired by E. Turner, Manager of Municipal Section)	
Issue Resolution Committee 2:	Selection of Parameters for Limits Limit Setting Self-Monitoring and Listing/De-Listing Form of Limits Compliance Monitoring Data Analysis Review of QA/QC for Monitoring Data Net Loadings Flow Accuracy under Limits
(Chaired by P. Isles, (Manager of Industrial Section)	
Issue Resolution Committee 3:	Assessment of Economic Achievability
(Chaired by J. Merritt, Director of Policy & Planning Branch)	
Issue Resolution Committee 4:	Toxicity Definition of Virtual Elimination
(Chaired by J. Ralston, MISA-RAP Coordinator)	
Issue Resolution Committee 5:	Reporting to the Public
(Chaired by M. O'Neill, Director of Communications Branch)	

B. Prioritization of Issues

The 18 issues will be divided into primary and secondary categories. In order to focus on the most critical issues, the primary issues will be dealt with first, and then the secondary issues will be addressed. This will reduce the up-front workload for all concerned.

Adopting this format results in the reduction from 18 issues to 11 issues proceeding in parallel. It should be noted that for Issue Resolution Committees 1 and 2, more than one primary issue will have to be dealt with simultaneously (refer to Attachment 1 for details).

C. Organization of the Internal Infrastructure of Government Support Staff

While there are only 5 joint government-industry/ municipality Issue Resolution Committees, there are still 18 issues for these committees to deal with.

In order to strengthen Ministry's capability in the preparation of government position and in negotiation with industry/municipality, it has been decided that for each issue, several expert staff will be assigned to work in an "internal" working group to be headed by the "Issue Working Group Leader". When preparing the government position, the group may seek assistance from external consultants; and will consult with staff from the Federal Government to ensure Federal/Provincial consistency in regulation requirements.

Through a careful examination of the nature of the 18 issues, these issues can be divided into two general categories or "trains"; BATEA-related and Limits-related. Accordingly, to ensure that the development of government positions on all the issues within each "train" are well coordinated, two coordinators will be designated as shown below.

- Limits Train, to be coordinated by T. Tuszynski
- Technology Train, to be coordinated by B. LeClair

Details of the division of issues into two "trains" are described in Attachment 2.

The internal organizational structure to drive the issues resolution process will be set up as per the attached chart (Attachment 3). This chart shows four levels of responsibility:

- MISA Issues Steering Committee
- MISA Issues Co-ordination Committee
- MISA Issues Co-ordinators
- MISA Issue Working Groups (Issue Working Group Leaders)

C.1. MISA Issues Steering Committee - This committee is made up of the Chairpersons of the five Issue Resolution Committees plus J. Bishop and P. Seto. J. Bishop is the Chairman of the Steering Committee. The Committee is responsible for:

a. providing overall direction to the issues resolution process;
b. determining and getting approval for overall approach for MISA issues resolution;
c. reviewing and evaluating issues submitted by the Resolution Committee Chairpersons;
d. ensuring Senior Ministry Management are aware of and support the issues resolution process;
e. determining negotiable/non-negotiable items under each issue; obtaining senior management approval on the preliminary MOE position, and subsequently the "bottom-line" of those crucial negotiable items.

C.2. MISA Issues Co-ordination Committee - This Committee, which is comprised of the Managers of MISA Industrial and Municipal Sections, is responsible for:

a. ensuring the overall MISA issues resolution process is followed by all members;
b. reviewing terms of reference for all working groups in order to ensure an integrated approach to issues resolution;
c. direction of the Coordinators in their day-to-day functions, and assigning their own Section support to (as well as negotiating with other Section Managers outside the MISA Office to provide additional support to) the Coordinators;

d. reporting to the Steering Committee as to status, potential problem areas, and future activities;
e. providing the necessary inter- and intra-Branch liaison through regular Co-ordination Committee meetings, as well as through special ad hoc meetings;
f. chairpersonship of designated Issue Resolution Committees as directed by the Issue Steering Committee.

C.3. MISA Issues Coordinators - The two designated coordinators, T. Tuszynski and B. LeClair, are responsible for:

a. establishing detailed and integrated terms of reference for all issues; clarifying the overall frame work and how individual Working Groups fit into each other;
b. determining and recommending membership in each working group, including group leaders;
c. implementing the defined process for resolving all issues;
d. providing technical direction and assistance to the Working Groups and Committees in the issues resolution process;
e. acting as key technical experts for the Government side at the negotiation table; providing co-ordination in preparing the government positions on all issues internally.

C.4. MISA Issues Working Group - These groups are made up of staff experts drawn from within the government, and are responsible for:

a. developing terms of reference for the appropriate issue;
b. researching available information;
c. attending and providing technical support at the negotiation table on "as needed" basis (Note: The Issues Working Group Leaders will always attend the Issue Resolution Committee meetings);
d. developing an issue position paper for the appropriate issue in conjunction with the coordinator;
e. advising coordinators of status, potential or existing problem areas, and future activities; and
f. members of the the Issues Working Group can also be designated as the "writers" for the Issue Resolution Committee.

As explained before, internally for each issue there is to be an Issue Working Group Leader representing the government side on the Issue Resolution Committee (therefore, for Issue Resolution Committees addressing more than one issue, there will be more than one Issue Working Group Leader).

The Issue Working Group Leader is to be responsible for providing co-ordination and technical expertise in the development of the issue position paper. In addition, the Group Leader is to act as the technical expert responsible for explaining/defending the Government position at the negotiation table.

The Issue Working Group Leaders for certain issues should be staff external to the MISA Industrial Section. For example, it is proposed that:

- Assessment of Economic Achievability: Policy and Planning Branch
- Toxicity: Water Quality Office
- Definition of Virtual Elimination: Water Quality Office
- Use of QA/QC and Inter-laboratory Test Data: Laboratory Services Branch/Great Lakes Section
- Monitoring Data Analysis: Project and Data Management Section
- Flow Accuracy: Project and Data Management Section
- Reporting to the Public: Project and Data Management Section
- Stormwater: Municipal Section/Water Quality Office
- By-passes and Emergency Overflows: Municipal Section/Industrial Section

These changes will not only ensure the efficient use of available expertise, but will also reduce the workload of staff in the Industrial Section. Furthermore, such a move will also promote inter- and intra-Branch co-operation. The result will be the production of improved documents within a shorter timeframe.

4. PROCESS STEPS

In order for the Issues Working Groups to proceed successfully, it is crucial that a consistent approach be taken. Therefore, the following steps should be taken for all issues:

4.1 Determine terms of reference for each group.

4.2 Finalize terms of reference and ensure consistency between groups.

4.3 Obtain approval from Division Heads (DHs)/ Management Committee (MC) on terms of reference (if deemed necessary).

4.4 Research and assess available issue information (U.S.EPA, etc.).

4.5 Carry out fact-finding search to U.S.EPA, State and Provincial headquarters.

4.6 Do a first-cut determination of negotiable/ non-negotiable items.

4.7 Obtain direction from DHs/MC on negotiable/ non-negotiable items, and their preliminary MOE positions.

4.8 Carry out a series of Issue Resolution Committee meetings to confirm terms of reference, develop issue position approach, write draft issue position paper (at this stage, MOE initial position paper will have been developed), and finalize issue position paper (prior to finalization. MOE "bottom line" will have been firmed up). It is expected that approximately four to seven meetings will be carried out spaced over a timeframe of six months).

4.9 Obtain approval of issue position papers by MISA Steering Committee.

4.10 Obtain approval of issue position papers by DHs/MC.

4.11 Completion of final policy document.

This approach, when put on a realistic time schedule will take us to approximately to the end of April 1990 to complete the primary issues and July 1990 to complete the secondary issues (see Attachment 4). It would be very difficult to achieve resolution of all identified issues in a shorter time period.

The series of steps described above would apply to both primary and secondary issues, however, the timeframe for resolution of the secondary issues would be shorter because these issues are less controversial and less complex than the primary issues and, hence, require less time in developing terms of reference and in developing the issue position paper.

By following this timetable, we will still result in the completion of all issues documents prior to the current schedule date for developing a draft limits compliance regulation for the Petroleum Refining Sector (see Attachment 5).

5. SUMMARY

5.1 To expedite the resolution of 18 generic issues prior to the development of sector-specific Effluent Limits Regulations, a revised Issue Resolution Process as described in the document will be implemented.

5.2 The Organizational Structure for this approach, with wide-ranging responsibilities of the Limits and Technology Train Coordinators, has been approved by the Ministry's senior management,

5.3 During the issue resolution process, Ministry's senior management will continuously be apprised of the negotiation progress; they will in turn provide direction and feedback, so that Ministry staff are aware of their mandate and scope when sitting down with industry and municipal representatives at the negotiation table.

5.4 Water Resources Branch staff will follow-up on a regular basis and report to senior Ministry staff on progress, anticipated problem areas.

6. IMPLEMENTATION SCHEDULE

6.1 The starting point for this revised process would be November 1, 1989, realizing that some activities under this process are already on-going.

6.2 An inaugural meeting with all sector representatives will be held in mid-November to inform them of the changes in the issue resolution process, and to introduce the Chairpersons of the Issue Resolution Committees and the Coordinators. Individual Issue Resolution Committee meetings will begin in early December.

6.3 The timetable for the resolution of these issues will be:

Primary Issues - end of April 1990
Secondary Issues - July 1990

Attachment 1

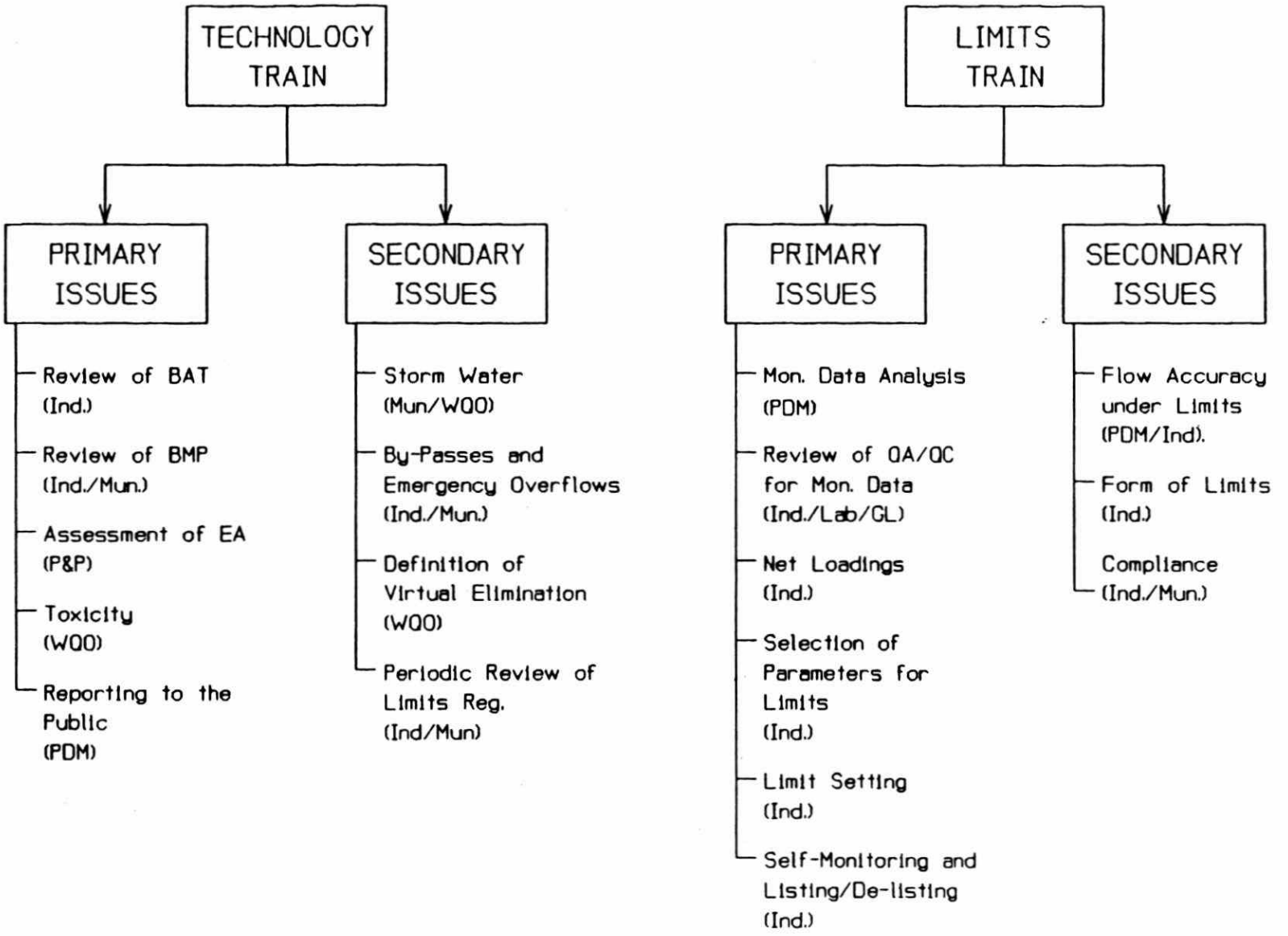
Prioritization of 18 Issues

Issue Resolution Committee 1: (Chaired by E. Turner, Manager of Municipal Section)	*Review of BAT *Review of BMP Storm Water By-passes and Emergency Overflows Periodic Review of Limits Reg.
Issue Resolution Committee 2: (Chaired by P. Isles, (Manager of Industrial Section)	*Selection of Parameters for Limits *Limit Setting *Self-Monitoring and Listing/De-Listing Form of Limits Compliance *Monitoring Data Analysis *Review of QA/QC for Monitoring Data *Net Loadings Flow Accuracy under Limits
Issue Resolution Committee 3: (Chaired by J. Merritt, Director of Policy & Planning Branch)	*Assessment of Economic Achievability
Issue Resolution Committee 4: (Chaired by J. Ralston, MISA-RAP Coordinator)	*Toxicity Definition of Virtual Elimination
Issue Resolution Committee 5: (Chaired by M. O'Neill, Director of Communications Branch)	*Reporting to the Public

NOTE: *Primary Issues

INTERNAL ISSUE GROUPING*

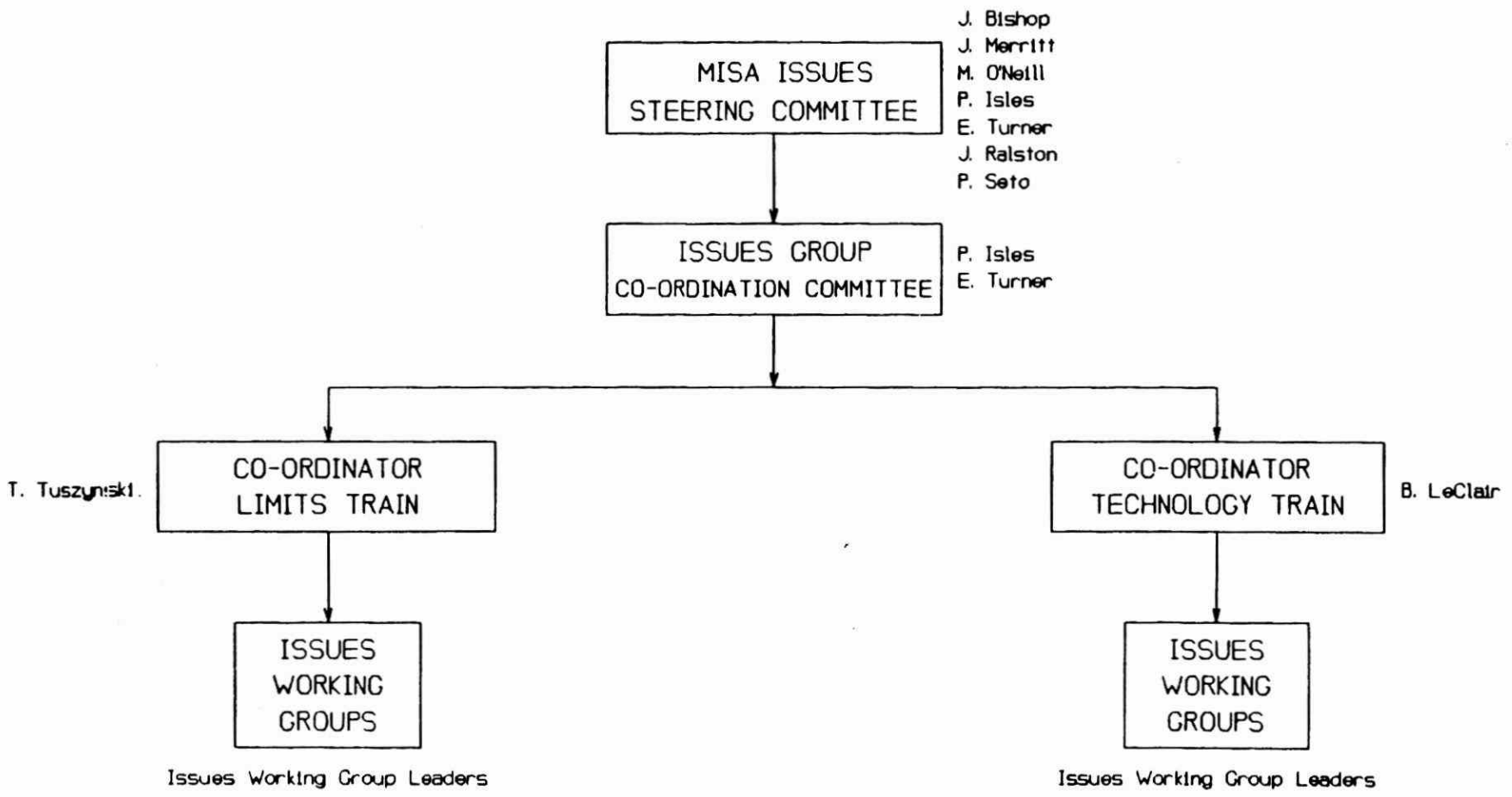
ATTACHMENT 2



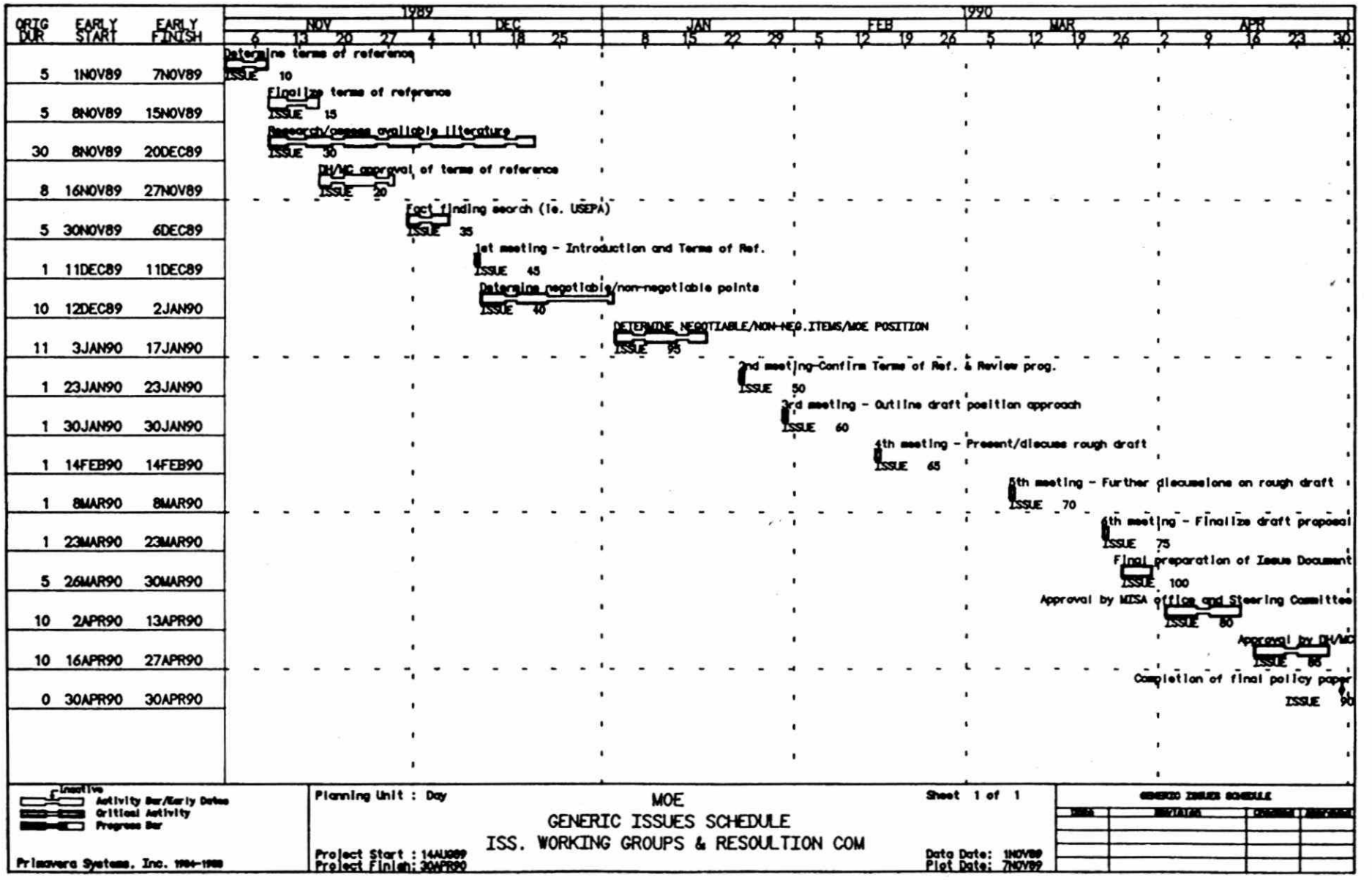
* Note: Issue Grouping under the two trains will be finalized by the MISA Issues Co-ordinators

ATTACHMENT 3

INTERNAL ORGANIZATIONAL STRUCTURE



ATTACHMENT 4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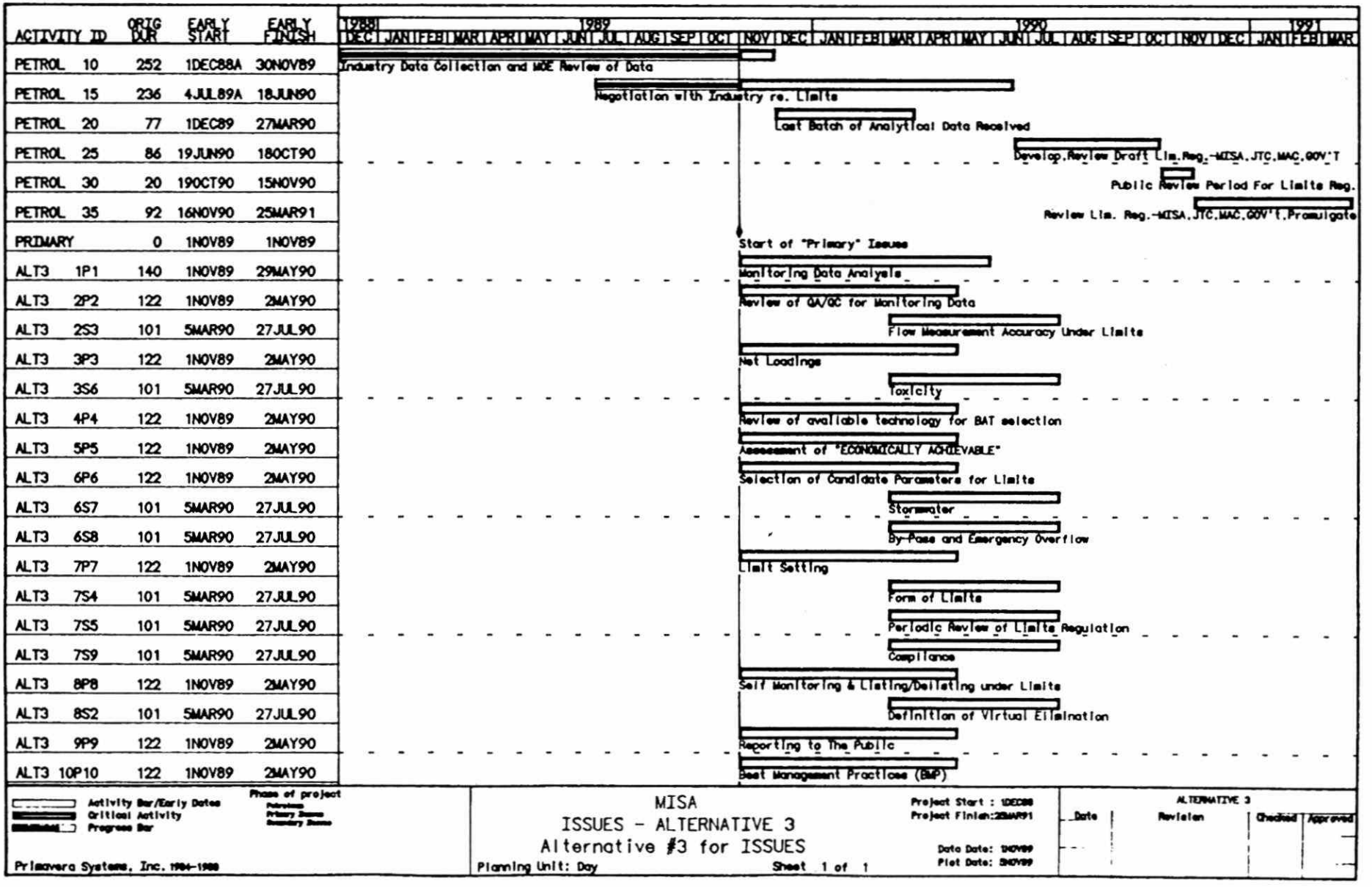
6 13 20 27 4 11 18 25 1 8 15 22 29 5 12 19 26 5 12 19 26 2 9 16 23 30
5 1NOV89 7NOV89 Determine terms of reference ISSUE 10
5 8NOV89 15NOV89 Finalize terms of reference ISSUE 15
30 8NOV89 20DEC89 Research/assess available literature ISSUE 30
8 16NOV89 27NOV89 DM/MC approval of terms of reference ISSUE 20
5 30NOV89 6DEC89 Fact finding search (ie. USEPA) ISSUE 35
1 11DEC89 11DEC89 1st meeting - Introduction and Terms of Ref. ISSUE 45
10 12DEC89 2JAN90 Determine negotiable/non-negotiable points ISSUE 40
11 3JAN90 17JAN90 DETERMINE NEGOTIABLE/NON-NEG.ITEMS/MOE POSITION ISSUE 95
1 23JAN90 23JAN90 2nd meeting-Confirm Terms of Ref. & Review prog. ISSUE 50
1 30JAN90 30JAN90 3rd meeting - Outline draft position approach ISSUE 60
1 14FEB90 14FEB90 4th meeting - Present/discuss rough draft ISSUE 65
1 8MAR90 8MAR90 5th meeting - Further discussions on rough draft ISSUE 70
1 23MAR90 23MAR90 6th meeting - Finalize draft proposal ISSUE 75
5 26MAR90 30MAR90 Final preparation of Issue Document ISSUE 100
10 2APR90 13APR90 Approval by MISA office and Steering Committee ISSUE 80
10 16APR90 27APR90 Approval by DM/MC ISSUE 85
0 30APR90 30APR90 Completion of final policy paper ISSUE 90
Inactive Activity Bar/Early Dates
Critical Activity
Progress Bar
Primavera Systems, Inc. 1984-1988
Planning Unit : Day
MOE
GENERIC ISSUES SCHEDULE
ISS. WORKING GROUPS & RESOULTION COM
Sheet 1 of 1
Project Start : 14AUG89
Project Finish: 30APR90
Data Date: 1NOV89
Plot Date: 7NOV89
GENERIC ISSUES SCHEDULE

ATTACHMENT 5


ACTIVITY ID | ORIG DUR | EARLY START | EARLY FINISH
1988 DEC | 1989 JAN FEB MAR APR MAY JUN JUL AUG SEP OCT | NOV DEC | 1990 JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC | 1991 JAN FEB MAR
PETROL 10 252 1DEC88A 30NOV89 Industry Data Collection and MOE Review of Data
PETROL 15 236 4JUL89A 18JUN90 Negotiation with Industry re. Limits
PETROL 20 77 1DEC89 27MAR90 Last Batch of Analytical Data Received
PETROL 25 86 19JUN90 18OCT90 Develop,Review Draft Lim.Reg.-MISA,JTC,MAC,GOV'T
PETROL 30 20 19OCT90 15NOV90 Public Review Period For Limits Reg.
PETROL 35 92 16NOV90 25MAR91 Review Lim. Reg.-MISA,JTC,MAC,GOV'T,Promulgate
PRIMARY 0 1NOV89 1NOV89 Start of "Primary" Issues
ALT3 1P1 140 1NOV89 29MAY90 Monitoring Data Analysis
ALT3 2P2 122 1NOV89 2MAY90 Review of QA/QC for Monitoring Data
ALT3 2S3 101 5MAR90 27JUL90 Flow Measurement Accuracy Under Limits
ALT3 3P3 122 1NOV89 2MAY90 Net Loadings
ALT3 3S6 101 5MAR90 27JUL90 Toxicity
ALT3 4P4 122 1NOV89 2MAY90 Review of available technology for BAT selection
ALT3 5P5 122 1NOV89 2MAY90 Assessment of "ECONOMICALLY ACHIEVABLE"
ALT3 6P6 122 1NOV89 2MAY90 Selection of Candidate Parameters for Limits
ALT3 6S7 101 5MAR90 27JUL90 Stormwater
ALT3 6S8 101 5MAR90 27JUL90 By-Pass and Emergency Overflow
ALT3 7P7 122 1NOV89 2MAY90 Limit Setting
ALT3 7S4 101 5MAR90 27JUL90 Form of Limits
ALT3 7S5 101 5MAR90 27JUL90 Periodic Review of Limits Regulation
ALT3 7S9 101 5MAR90 27JUL90 Compliance
ALT3 8P8 122 1NOV89 2MAY90 Self Monitoring & Listing/Delisting under Limits
ALT3 8S2 101 5MAR90 27JUL90 Definition of Virtual Elimination
ALT3 9P9 122 1NOV89 2MAY90 Reporting to The Public
ALT3 10P10 122 1NOV89 2MAY90 Best Management Practices (BMP)
Activity Bar/Early Dates
Critical Activity
Progress Bar
Phase of project
Primavera Systems, Inc. 1984-1988
MISA
ISSUES - ALTERNATIVE 3
Alternative #3 for ISSUES
Planning Unit: Day
Sheet 1 of 1
Project Start : 1DEC88
Project Finish:28MAR91
Data Date: 1NOV89
Plot Date: 3NOV89
ALTERNATIVE 3
Date | Revision | Checked | Approved

Ontario

Ministry of the Environment
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December 21, 1989

The Honourable Jim E. Bradley
Minister of the Environment
135 St. Clair Avenue West
15th Floor
Toronto, Ontario
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Dear Mr. Minister:

This will confirm our advice to Sarah Rang that the **MISA Advisory Committee** would very much appreciate the opportunity of meeting with you at 2:00 p.m. on Wednesday January 17th, 1990. The Boardroom on the 14th floor of 135 St. Clair Avenue West would seem appropriate for the meeting location.

The Committee has raised various issues with you in recent correspondence and would like to discuss the more important of these with you, if you would agree.

We list these as:

1. The concern of all of us that the current schedule for implementing the Issues Development Program and the MISA Effluent Limits Regulations be maintained. The recent resignation of several key officials in the MISA program suggests that a problem of some consequence is at hand.

2. The need to standardize data reporting and laboratory procedures so that the accuracy and comparability of MISA monitoring data are adequate to calculate loadings and assess compliance. The recent report of the Great Lakes Water Quality Board indicated that quality assurance and control protocols are inadequate at this time for these purposes. Continued discussions between this Committee and the Laboratory Services Branch (the latest as revealed in our letter of February 10, 1989) have failed to reach agreement as to the need for adequate round-robin testing to assure comparability and accuracy between public and private laboratories in relation to the MISA Monitoring Data. The recent report undertaken by PACE (June 12, 1989) on "Interlaboratory Analytical Variability of Conventional Parameters and Metals" confirms that major differences are occurring even in the analysis for oil and grease, ammonia and phenols and suggests that for more diffuse toxic parameters the results be treated with extreme caution. (Our letter of November 10th).

3. Currently U.S. EPA and the Great Lakes States are establishing proposals for setting Water Quality Standards for Great Lakes Waters including Water Quality Criteria for human health, aquatic life and wildlife. They are addressing the issues of mixing zones/zones of initial dilution, procedures for establishing water quality based effluent limits in permits, antidegradation, biomonitoring requirements, pollution prevention, use designations and variance from meeting with Water Quality Standards.

The Ministry's "Water Quality Objective Development Process" should be aware of the American process and we would wonder if the Aquatic Criteria Development Committee is keyed into the EPA on this issue. Indeed we have some concern that the "Water Quality Track" process here in Ontario is falling behind the American program.

In conclusion, we hope the foregoing will meet with your approval for discussion at our meeting and any other issues which you may consider of priority.

Yours very truly,

Jim MacLaren
Chairman
MISA Advisory Committee

JM/yt

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January 26, 1990

The Honourable Jim E. Bradley
Minister of the Environment
135 St. Clair Avenue West
15th Floor
Toronto, Ontario
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Dear Minister:

It was a pleasure for the MISA Advisory Committee to meet with you and Messrs. Oved and Gallon on January 17th to discuss items of concern raised in our letter of December 21st, 1989. These discussions however were overshadowed by our mutual concerns on the resolution of issues for the development of Effluent Limits Regulations.

Indeed on the morning of our meeting of the 17th, Dr. Peter Seto and Messrs. Isles, Turner and LeClair of your ministry had made a presentation to this committee on the detailed position of the Ministry with respect to

1. Proposed Joint Technical Activities
2. Structure of the Effluent Limits Regulation
3. Preliminary Ministry Issue Positions.

This presentation was made at your request and Dr. Seto emphasized that you required our opinion of the detailed procedures and positions presented. Later that day you confirmed to us that you desired the Committee's independent opinion of the Ministry's approach. On January 18th, Mr. Gallon specifically outlined the questions that you wished answered by this Committee. We attach a copy of that letter since it lists specific questions not discussed at that meeting.

Let us first make it clear that this Committee always has favoured the establishment of a generic approach in BAT regulation setting and as early as November 30, 1987 stressed this in a letter to your office.

The process of developing generic issue positions for the Limits Regulations commenced on May 10th, 1989 at a meeting convened by your Deputy Minister with industrial and municipal representatives, ministry officials and several members of the committee. However, six months elapsed before the Director of the MISA program conducted a further meeting on November 20th with the same stakeholders to review a proposal that:

- would reduce the originally intended 18 working groups to five Issue Resolution Committees covering the 18 issues.
- would set priorities for each Issues Resolution Committee in dealing with assigned issues.
- would assemble Ministry staff to support the Committees' work.
- would resolve major issues by April 30th, 1990 and secondary issues by June 30th.
- would permit an introductory meeting to be conducted with public interest groups to outline the program and seek their responses; would arrange a second meeting to gain their reactions to draft resolutions.
- would not compromise the overall timing of the implementation of the Effluent Limits Regulation which is currently planned for the Petroleum regulation in April 1991 and the final effluent industrial schedule by October 1992 - almost three years from now. There is no end in sight for the municipal sector schedule which is currently under revision.

These procedures were detailed in a Ministry paper dated November 1st and entitled "Revised MISA Issues Resolution Process". This Committee continued to support the process so long as the intended regulation development schedule could be maintained.

However it was only on the 17th of this month at your request that the Ministry finally made available appendices that portend to define the Ministry's preliminary issues' positions. Close scrutiny has disclosed to the Committee that many of the issue positions are not positions but descriptions of the process or procedure to be followed. This is true for the determination of BAT and EA as an example. To clarify, Dr. Seto and his associates described to us specific procedures for determining a generic position for setting BAT and its EA.

The Committee could see nothing but endless debate among the various industrial and municipal stakeholders in setting technology efficiencies related to the removal of toxic equivalents. Furthermore, the proposal to eliminate Daphnia from the toxicity enforcement regulations after the excellent experience with this acute toxicity test organism in the petroleum monitoring regulations was disconcerting to our members. All of this leads us to somewhat contradict our position for establishing generic positions. Time has become of the essence. Petroleum monitoring data are now available but the generic issue guidelines are not. Indeed at least six months of monitoring data for three other industrial sectors will be available by the earliest date at which generic issues might be resolved.

We must get on with achieving toxic removal from Ontario waste waters at the earliest possible date. This Committee concludes that the Ministry should revert to its original intent as outlined in its White Paper "MISA - A Policy and Program Statement for the Government of Ontario on Controlling Industrial and Municipal Discharges into Surface Water - June 1986". It indicated that the "Ontario Approach" as set out on pages 35 through 38 would be based on the U.S. EPA experience interpreted in the light of actual monitoring data and the Ontario economic state. In practical terms

the commitment of both the U.S. and Canada including Ontario to the Great Lakes Water Quality Agreement justify the approach.

Accordingly your committee recommends the following:

1. The list of proposed joint technical committee activities as provided by the Ministry be adopted in principle and amended by each Joint Technical Committee for its specific use.

2. The Ministry prepare as soon as possible the outline and structure of the generic limitations regulation that would include the "boiler plate" and emphasize the areas requiring resolution and any conditions it will set on such resolutions. This skeleton format should be made available to all JTC's as soon as possible and include the outline of a typical sector schedule. (The foregoing responds to the Ministry's "Structure of Effluent Regulation").

3. Issues Resolution Committees one and three should not be formed. These are the committees intended to establish BAT (including BMP, storm water and bypasses, etc.) and EA.

   Instead the Petroleum JTC as a demonstration sector should proceed to develop BATEA from the latest U.S. EPA performance levels supported by the effluent monitoring data. Technology research by the JTC should be speedily undertaken to determine the manner in which U.S. firms met BATEA requirements. EA also will follow on the U.S. experience but a contractor should be retained immediately to assist the committee in translating EA to Ontario conditions. The Water Pollution Abatement Technology and Cost Study undertaken for the Ministry should be useful.

   As six months of monitoring data becomes available, other JTC's should be convened and the petroleum JTC process repeated with improvements from the experience of the Petroleum JTC and most recent U.S. EPA performance levels incorporated.

   Regarding Mr. Gallon's questions (bullets two and three) the BAT and EA procedure as described above follow the development process outlined on pages 31 through 35 of the original 1986 MISA White Paper. In reference to question (bullet 5) this committee is adamant that BAT should encompass not only the removal of specified pollutants but also the achievement of non-lethality on an acute basis. The technology package selected must be capable of both but MAC realizes that certain sectors will require the combined approach designed to suit conditions of flow reduction and pH adjustments as examples.

Also it is important to recognize that BAT and BMP go hand in hand. BAT will not achieve the intended results without adequate operation and maintenance.

4. Issues Resolution Committees Two, Four and Five be convened as soon as possible but only after the Ministry can firm up its positions on the various issues being referred to each committee. Once again U.S. EPA experience to date should be employed to establish these positions since many of the current statements are inadequate. The MAC Committee is assembling its own approaches so as to adequately participate in the work of these three Issues Resolution Committees. These Committees must set their priorities so as to provide solutions to the Petroleum JTC by May.

   Committee Two, the Limits Committee, will now be required to incorporate the consideration of periodic revisions of limits regulations. Indeed this Committee may have to be subdivided to permit its considerable responsibilities to be dealt with expeditiously.

   Mr. Gallon's question, bullet 4, once again will be resolved by following U.S. EPA experience to date using actual monitoring data and ensuring that limits to be set are readily interpretable as total loadings but with a "cap".

5. Also Mr. Gallon's question, bullet 1 on the use of permits to translate regulation requirements including limits to actual specific discharges is timely. At present, we use the terminology "certificates of approval" and/or "control orders" to enforce limits. This Committee would be in favour of a permit or license system but understood that such revisions currently were in abeyance until the permit could be issued according to receiving water objectives as well as local water quality impacts. This is a large issue in the minds of this Committee that represents a very significant policy and legislation change. However in reference to the question, the new limits should be incorporated in an industry sector schedule and might follow as example the procedure set out on pages 48 and 49 of the MISA White Paper.

6. The public be encouraged to respond and comment on the 18 issues that will be considered in the development of the effluent limit regulations as soon the Ministry adequately revises its initial positions. Here it would be appropriate either by letter to the MISA mailing list and/or public advertisement to outline the 18 issues and the initial Ministry positions and request response from interested persons and organizations. Indeed a public meeting to hear and respond to concerns would be appropriate.

In addition the draft conclusions of the three Resolution Committees should be published for public comment. Effluent Limit Regulations of course should be submitted to a 60 day public comment period before finalization.

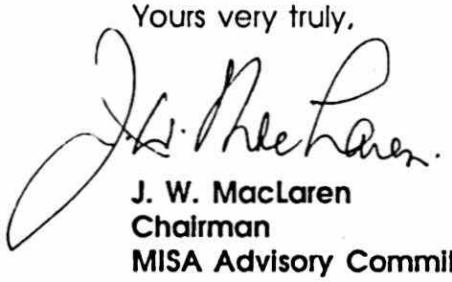
The foregoing recommendations represent a compromise in procedure justified by the need to get ahead with the job. They respond in the Committee's opinion to the original intent in establishing effluent limits regulations. They should lead to direct consensus building between the Ministry and industry but save time in reaching actual toxic reductions.

Although we are aware that Ministry staff have been under pressure in meeting MISA requirements especially in light of recent resignations, this Committee is dissatisfied with the considerable time wasted since last May's meeting and the oversight of the Ministry to gain the benefit of public input during that period.

The recommendations set out are designed to permit the regulation target dates to be not only preserved but improved. We believe the Ministry should set strict limits on the amount of discussion time allowed in order to maintain the schedule even though some parties may express displeasure.

We trust this response will provide you with adequate information to establish your future program.

Yours very truly,



J. W. MacLaren
Chairman
MISA Advisory Committee

JM/yt

Encl.

cc: G. Posen
D. Balsillie

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January 18, 1990

Mr. Jim MacLaren, Chairman
MISA Advisory Committee
Suite 502
112 St. Clair Avenue West
Toronto, Ontario
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Dear Mr. MacLaren:

I would like to thank you and the other members of the MISA Advisory Committee for your helpful comments and suggestions at our meeting with the Minister yesterday. We look forward to receiving your recommendations on the process suggested by the Ministry for developing MISA's Effluent Limits Regulation. While your comments on any aspects of the proposed program would be welcomed, I would ask you to give special attention to a number of important issues.

Could you please provide the Minister with your advice on the following points:

- the use of permits to translate regulation requirements to individual plants
- methods and criteria for determining Best Available Technology
- the process for determining economic achievability of BAT
- how parameters for limits setting are to be selected and in what form limits should be expressed
- how to balance the need to reduce persistent toxic substances in effluents with the need to reduce acute toxicity of effluents. This will become an issue in cases where a given technology is not able to accomplish both objectives.

Your recommendations will play an important role in the future development of the MISA program, and your continued close involvement will be critical to its success.

Yours sincerely,

Gary Gallon
Policy Advisor

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March 16th, 1990

The Honourable Jim E. Bradley
Minister of the Environment
135 St. Clair Avenue West
15th Floor
Toronto, Ontario
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Dear Mr. Minister:

Further to our letter of January 26th relating to the Issues Resolution Process for Effluent Limits Regulations and our discussions of Tuesday, March 6th with Sarah Rang, Ellen Schwartzel and David Oved of your staff and Dr. Seto of the Ministry on that same subject, the MISA Advisory Committee discussed the process at its Meeting No. 56 held on Friday, March 9th.

As a result, we confirm that the process is developing as intended under the five basic Issues Resolution Committees (IRC). Industry's position is sometimes confused because of the varying interest of the different industrial sectors and because of industry's difficulty in assuring attendance of the same participants at every issues meeting. The compact and intense schedule for the IRC's is essential and we all must accommodate to it.

We do as a Committee feel strongly that the Issues Resolution Committee chairpersons should at every opportunity:

1. Emphasize that consensus building will not be permitted beyond April 30th. At that time, the Ministry must establish the most appropriate resolution of the issue for the Minister's decision. To suggest that the process can drag beyond that date is in the minds of your Advisory Committee unacceptable to the schedule for toxics reduction and to the input needs of the respective JTC's.

2. Ensure that the IRC's understand the approach taken by the EPA in respect to the 18 issues and also, the EPA's view on the success of that approach since its implementation. This should be done as soon as possible. If this information is not currently available, consultants should be hired to provide it without delay.

3. Emphasize the need to adhere to - or justify departure from - the Ministry's original approach to all aspects of MISA as set out in the White Paper of June 1986, especially pages 31 to 49.

4. Advise that the work of the IRC's relating to BAT/BMP and EA recognize that these issues are very much sector specific and the IRC's decisions should not unnecessarily compromise the work of the JTC's.

Our members continue to participate in the Issues Resolution Process with interest.

Yours very truly,

J. W. MacLaren
Chairman
MISA Advisory Committee

cc: G. Posen
D. Balsillie
P. Seto

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April 23, 1990

The Honourable Jim E. Bradley
Minister of the Environment
135 St. Clair Avenue West
15th Floor
Toronto, Ontario
M4V 1P5

Dear Mr. Minister:

Following our meeting with Sarah Rang of your office and Dr. Peter Seto of the Ministry on Wednesday, April 18th, we wish to confirm our concerns expressed at that time on the matter of timing for the development of the Issues Resolution relating to MISA.

As indicated in our letter of March 16th, it is important that the consensus building process not drag on. Ministry staff have worked diligently to assure maximum consensus in a short period which we applaud. However we understand that the last meeting of an Issues Resolution Committee will now not be until May 11th. We hope that this will be the final extension granted and that the draft positions for MAC and other selected groups to review will still be available by June 1st.

We realize these are tight schedules but without such commitment, it will be difficult to meet target dates scheduled for limits regulation development.

Yours very truly,

J. W. MacLaren
Chairman
MISA Advisory Committee

cc: G. Posen
D. Balsillie
P. Seto

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